

## COMMITTEE AMENDMENT FORM

<b>DATE:</b>	April 26, 2005	<b>PAGE # (s):</b>	2
<b>COMMITTEE:</b>	CITY UTILITIES	<b>SECTION (S):</b>	1
<b>ORDINANCE I.D.:</b>	#04-O-2032	<b>PARAGRAPH:</b>	

Amends the legislation by deleting Section 1 and 3 and inserting a New Section 1 which shall read as follows:

Section 1: The Watershed Department shall be required to provide a monthly report to City Utilities Committee and all members of City Council showing the geographical distribution of service terminations by Zip Code, Council District, and street address. This report shall be in the form of lists, charts, graphs and accompanied by maps produced on the City's new Council accessible GIS system.

(RETAIN Section 2 requiring the Watershed Department to work closely with the elderly for the payment of their water/sewer bills.)

RENUMBER OLD SECTION 4 TO SECTION 3.

**AN ORDINANCE**

Councilmember C. T. Martin

An Ordinance to establish a four (4) month moratorium on the termination of Service for delinquent water/sewer bills for those residential customers who are 65 years of age or older and whose annual income does not exceed \$25,000; and for other purposes

WHEREAS, the Council adopted and the Mayor approved, guidelines for the collection of water/sewer bills; and

WHEREAS, for many years, the City has billed customers on a bi-monthly basis; and

WHEREAS, effective in September of 2004, the City went to a monthly billing system; and

WHEREAS, this change has caught some elderly low-income customers off guard, especially the elderly, who had grown accustomed to budgeting on a bi-monthly system; and

WHEREAS, the Department of Water and the Treasury Division of the Finance Department were authorized to develop written policies and procedures for the billing, collection and cut-off procedures for the provision for water and sewer services; and

WHEREAS, Section 154-.120, **Nonpayment of bills**, reads (in part) as follows:

(1) "Upon the failure of any person to: (i) Pay any water bill assessment, advance payment or charge against any premises for which the person is responsible by the due date set forth in the bill; or (ii) To send a written notice of dispute to the company in accordance with the instructions contained on the applicable bill, the person will be sent a notice that their service will be terminated without further notice and the commissioner of water and the company are authorized to turn off and discontinue water service to the person and premises until the bill or charge is paid, and a charge fixed by the council will be made for each turnoff. Subject to O.C.G.A. § 30-60-17, the delinquent bill or charge shall be a lien on the property where the bill or charge was incurred. **In no event will the termination of service be later than 30 days from the due date of the bill for monthly bills and 60 days for bi-monthly bills.**

(2) A late fee of \$5.00 or five percent of the total bill, whichever is greater, will be assessed on all water and sewer bills rendered that are not

paid by the established due date on the bill. The bill rendered for the following billing cycle will contain the past due amount plus the \$5.00 or five percent of the total bill, whichever is greater, late fee.

(3) The past due charges, late fee and any other appropriate charges must be paid in full before service is restored. Said late fees shall be deposited into fund, account, and center number 2J01 462601 B00001.

(4) The department of finance shall cause books recording all liens for unpaid water and sewer bills and charges to be prominently displayed for public inspection in the office where the chief financial officer keeps other lien information books and in the office where the general execution docket of the county wherein the delinquent property is located.

(5) Subject to O.C.G.A. § 30-60-17, the charge must be paid before water is turned on again unless the commissioner of water, in the commissioner's discretion, waives such charges. . . ."

WHEREAS, the lack of water and sewer creates a health hazard; and

WHEREAS, it is the desire of the City Council that the low-income elderly be afforded additional time to adjust to the change in the billing practice.

**NOW THEREFORE BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ATLANTA, GEORGIA** as follows:

**Section 1:** That there is hereby established a moratorium on the termination of water/sewer services for residential customers for a four-month period for those persons 65 years of age or older, whose annual income does not exceed twenty-five (\$25,000) thousand dollars, retroactive to the cutoff period beginning September, 2004. Said moratorium shall be effective through the January, 2005 billing period.

**Section 2:** That the Department of Watershed Management make every effort to notify all residential customers of the cutoff policy, and to work closely with the elderly for the payment of their water/sewer bills.

**Section 3:** That all ordinances and parts of ordinances in conflict herewith are hereby repealed.

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**DATE:** 11/30/ 04

**COMMITTEE**      CITY UTILITIES

**PAGE NUM. (S)** 2

**ORDINANCE I. D.** #04-O-2032

**SECTION (S)** 3 & 4

**RESOLUTION I. D.** #04-R-

**PARA.**

**AMENDS THE LEGISLATION BY INSERTING A NEW SECTION 3 WHICH SHALL READ AS FOLLOWS:**

**THAT THIS MORATORIUM SHALL APPLY TO THOSE CUSTOMERS THAT WERE IN GOOD STANDING PRIOR TO THE MONTHLY BILLING PROCESS AS WELL AS TO THOSE CITIZENS THAT HAVE SIGNED UP FOR THE CITY'S SENIR DISCOUNT PROGRAM AS PROVIDED FOR IN SECTIONS 154-111-112 AND 154-276-277 OF THE CODE OF ORDINANCES.**

**RENUMBER OLD SECTION 3 TO SECTION 4.**

**AN ORDINANCE**

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